

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MITCHELL TAYLOR,)	4:04CV3315
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
THE GOODYEAR TIRE AND)	
RUBBER COMPANY,)	
)	
Defendant.)	

On February 17, 2006, the Clerk of Court taxed \$150.00 in costs against Plaintiff but excluded \$593.25 in court reporter fees and \$42.00 in fees for exemplification and copies of papers for failure to attach proofs of payment. Pursuant to NECivR 54.1 and Section 1 of the Bill of Costs Handbook, Defendant has filed a timely motion (filing 50), with supporting documentation (filing 50, Aff. of Counsel & Exs. A-C), for review of the Clerk of Court's taxation of costs (filing 49). Plaintiff has not responded to Defendants' motion by brief or otherwise.

The documentation supporting the motion for review indicates that \$593.25 was expended for court reporting services in the deposition of Plaintiff. This deposition was used by the court in resolving the motion for summary judgment. Court reporting services for depositions used in support of a motion are generally taxable. (Bill of Costs Handbook at 3-4.) I find that an additional \$593.25 in costs should be taxed. Accordingly,

IT IS ORDERED:

1. Defendant's motion (filing 50) for review of the Clerk of Court's taxation of costs is granted; and

2. The Clerk of the United States District Court for the District of Nebraska shall tax against Plaintiff \$593.25 in court reporter fees for preparation of the deposition of Plaintiff, used by the court in resolving the motion for summary judgment.

March 22, 2006.

BY THE COURT:

s/Richard G. Kopf
United States District Judge